

AGENDA FOR THE PLAN COMMISSION

Members noticed must notify the person who prepared agenda (see below) at least 24 hours before the meeting as to whether they will not be able to attend this meeting.

Date and Time: Tuesday, June 15, 2021 – **5:15 PM**
Location: Council Chambers, Municipal Building, 101 South Blvd., Baraboo, Wisconsin
Member Notices: M. Palm (Mayor Designee), P. Wedekind, R. Franzen, J. O'Neill, T. Kolb, D. Marshall, and M. Boeggner.
Others Noticed: T. Pinion, C. Bradley, Mayor R. Nelson, Cliff Bobholz, Dave Mitchell, Tom Greve, Library, and Media.

PETITIONERS OR REPRESENTATIVES MUST BE PRESENT OR SUBJECT WILL NOT BE HEARD BY THE COMMISSION!

1. Call to Order

- a. Note compliance with the Open Meeting Law.
- b. Roll Call
- c. Approve agenda.
- d. Approve May 18, 2021 meeting minutes.

2. Public Invited to Speak (Any citizen has the right to speak on any item of business that is on the agenda for Commission action if recognized by the presiding officer.)

3. Public Hearings

- a. Public Hearing to consider the request of D Mitchell LLC for a Conditional Use Permit to convert the existing two-unit residential dwelling on Lot 61 of the Second Addition to Pleasant View subdivision to two side-by-side single-family residential dwellings at 1821/1823 Park View Drive, City of Baraboo, Sauk County, Wisconsin.

4. New Business

- a. Consider the request of D Mitchell LLC for a Conditional Use Permit to convert the existing two-unit residential dwelling on Lot 61 of the Second Addition to Pleasant View subdivision to two side-by-side single-family residential dwellings at 1821/1823 Park View Drive, City of Baraboo, Sauk County, Wisconsin.
- b. Review and approve a 2-Lot Certified Survey Map for D Mitchell LLC to create two Side-By-Side Single-Family Attached Dwellings in an R-3 Three- and Four-Family Residential zoning district at 1821/1823 Park View Drive, being Lot 61 of the 2nd Addition to Pleasant View subdivision and located in Section 30, T12N, R7E in the City of Baraboo, Sauk County, Wisconsin
- c. Review and recommend public access from STH 33 to the proposed subdivision development on the City-Owned property (a/k/a the Jackson Farm) on the south side of STH 33, approximately 1/4 mile east of CTH T.

4. Adjournment

Mike Palm, Mayor Designee

Agenda prepared by Kris Denzer, 355-2730, Ext. 7309

Agenda Posted by Kris Denzer on June 9, 2021

PLEASE TAKE NOTICE, that any person who has a qualifying as defined by the Americans with Disabilities Act that requires the meeting or materials at the meeting to be in an accessible location or format, should contact the Municipal Clerk, 101 south Blvd., or phone 355-2700, during regular business hours at least 48 hours before the meeting so that reasonable arrangements can be made to accommodate each request.

FOR INFORMATION ONLY, NOT A NOTICE TO PUBLISH.

PLAN COMMISSION ITEM SUMMARY

June 15, 2021 **5:15 PM**

SUBJECT: CONSIDER THE REQUEST OF D MITCHELL LLC FOR A CONDITIONAL USE PERMIT TO CONVERT THE EXISTING TWO-UNIT RESIDENTIAL DWELLING ON LOT 61 OF THE SECOND ADDITION TO PLEASANT VIEW SUBDIVISION TO TWO SIDE-BY-SIDE SINGLE-FAMILY RESIDENTIAL DWELLINGS AT 1821/1823 PARK VIEW DRIVE, CITY OF BARABOO, SAUK COUNTY, WISCONSIN.

SUMMARY OF ITEMS A & B: Dave Mitchell is the owner of the duplex that is currently under construction on this lot and he would like to convert the duplex to two side-by-side single-family attached dwellings so they can be sold separately. A Certified Survey Map that divides the property is also included for your consideration.

COMPLIANCE/NONCOMPLIANCE:

Pursuant to Section 17.37 – *Conditional Use Review and Approval*, I have found the application to be complete and have reviewed it for compliance with the ordinance. The proposed side-by-side dwellings satisfy the six requisite conditions of Section 17.37(9)(a), which includes a requirement for the corresponding CSM.

ACTION: Approve / Deny Conditional Use Permit (with certain conditions?)

ACTION: Approve / Conditionally Approve / Deny CSM

SUBJECT: REVIEW AND RECOMMEND PUBLIC ACCESS FROM STH 33 TO THE PROPOSED SUBDIVISION DEVELOPMENT ON THE CITY-OWNED PROPERTY (A/K/A THE JACKSON FARM) ON THE SOUTH SIDE OF STH 33, APPROXIMATELY 1/4 MILE EAST OF CTH T.

SUMMARY OF ITEM C: The City is working with a developer on a mixed-use residential development on the former Jackson Farm property. Included in the packet is the latest conceptual development plan for that property. Staff has reviewed several version of the concept plan and is convinced that two public access points to STH 33 are critical from a public safety perspective in spite of the DOT's reluctance to approve both of them. With roughly 300 residential dwelling units, restricting the development to a single public access point would create a significant safety concern, similar to the concern surrounding the single public entrance to the +/- 400-lot Black Hawk Manor mobile home community.

COMPLIANCE/NONCOMPLIANCE:

Pursuant to Chapter 18 – *Subdivision and Platting*, I have found the conceptual development plan to be consistent with the ordinance.

ACTION: Recommend that the eventual subdivision plat for this development include two public access points from STH 33 in the interest of public safety and urge the Wisconsin Department of Transportation to allow two public entrances to this development.

Minutes of Plan Commission Meeting May 18, 2021

Call to Order – Mike Palm called the meeting of the Commission to order at 5:15 PM.

Roll Call – Present were Mike Palm, Phil Wedekind, Roy Franzen, Jim O'Neill, Tom Kolb, Dee Marshall, and Matthew Boeggner.

Also in attendance were Tom Pinion, Pat Cannon, Scott Brown, Brad Jenks (Teams), John Kayser.

Call to Order

- a. Note compliance with the Open Meeting Law. Mayor Palm noted compliance with the Open Meeting Law.
- b. Agenda Approval: It was moved by Wedekind, seconded by Kolb to approve the agenda as posted. Motion carried unanimously.
- c. Minutes Approval: It was moved by O'Neill, seconded by Kolb to approve the minutes of the April 20, 2021. Motion carried unanimously.

Public Invited to Speak (*Any citizen has the right to speak on any item of business that is on the agenda for Commission action if recognized by the presiding officer.*) – There were no speakers.

Public Hearing

- a. Public Hearing to consider the request of Cave Enterprises Operations, LLC for a Conditional Use Permit to allow the construction of a new Type 2 Eating Establishment with a drive-thru and pickup service in a B-3 Highway Oriented Business zoning district, located in the SE1/4 of the NW1/4 of Section 3, T11N, R6E, City of Baraboo, Sauk County, Wisconsin at 800 State Rd 136. – There being no speakers, the hearing was declared closed.
- b. Public Hearing regarding the proposed project plan, boundaries and creation of Tax Incremental District No. 12 (See the Public Hearing Notice, which was published on May 4, 2021 & May 11, 2021) – There being no speakers, the hearing was declared closed.

New Business

- a. Consider the request of Cave Enterprises Operations, LLC for a Conditional Use Permit to allow the construction of a new Type 2 Eating Establishment with a drive-thru and pickup service in a B-3 Highway Oriented Business zoning district, located in the SE1/4 of the NW1/4 of Section 3, T11N, R6E, City of Baraboo, Sauk County, Wisconsin at 800 State Rd. 136 – Pinion presented the background to the Commission. This property is the old Golden Buffet property. He said the existing building will be razed and a new building with a drive-thru will be constructed. He said that the existing driveway off Highway 136 would be used. He said that the developer has over 80 of these facilities throughout the State. Pinion said that this does include a fenced in outdoor play area in the front of the building. Pinion said that the developer did provide a complete site plan submittal, which includes all the technical data. It was moved by Wedekind, seconded by Kolb to approve the request for the of Cave Enterprises Operations, LLC for a Conditional Use Permit to allow the construction of a new Type 2 Eating Establishment with a drive-thru and pickup service at 800 State Rd. 136. On roll call vote for the motion, Ayes – O'Neill, Kolb, Marshall, Boeggner, Palm, Wedekind, and Franzen. Nays – 0, motion carried 7-0.
- b. Review and approve Site Plan for proposed Burger King Restaurant at 800 State Rd 136 for Cave Enterprises Operations, LLC – Kolb inquired if Pinion had reviewed everything. Pinion said that he has reviewed the submittal and all complies with the City regulations. Kolb asked if that included the signage. Pinion said that that did not submit the specific monument sign design; however, they are fully aware of the 8-foot maximum height and the area size. Pinion asked Kayser if they were considering an electronic message sign on any sort. Kayser said that if they were allowed they do like to implement them; however, they always follow the guidance of the municipality. Pinion said that if the sign were just a plain monument sign only a sign permit would be required; however, if the sign is

illuminated or a message sign it will require an independent conditional use permit and would have to come in front of the Plan Commission for consideration. It was moved by Kolb, seconded by Marshall to approve the site plan as presented. On roll call vote for the motion, Ayes – Kolb, Marshall, Boeggner, Palm, Wedekind, Franzen, and O’Neill. Nay – 0, motion carried 7-0.

- c. Consideration and possible action on “Resolution Designating Proposed Boundaries and Approving a Project Plan for Tax Incremental District No. 12, City of Baraboo, Wisconsin – Pinion presented a detailed description of the proposed Resolution Designating Proposed Boundaries and Project Plan for Tax Incremental District No. 12 which was handed out at the meeting. Pinion said that it is primarily to incent development on the Highway 33 corridor. After a very through discussion, it was moved by Palm, seconded by Kolb to approve the Resolution Designating Proposed Boundaries and Approving a Project Plan for Tax Incremental District No. 12. On roll call vote for the motion, Ayes – Marshall, Boeggner, Palm, Wedekind, Franzen, O’Neill, and Kolb. Nay – 0, motion carried 7-0.

Adjournment - It was moved by Kolb, seconded by Wedekind to adjourn at 6:05 p.m. The motion carried unanimously.

Mike Palm, Mayor

As prepared by:

G GROTHMAN
& ASSOCIATES S.C.
LAND SURVEYORS

625 EAST SUFER STREET, P.O. BOX 373 PORTAGE, WI. 53901
PHONE: PORTAGE: (808) 742-7788 SAUK: (808) 844-8877
FAX: (808) 742-0434 E-MAIL: surveying@grothman.com
(RED LOGO REPRESENTS THE ORIGINAL MAP)

G & A FILE NO. **521-311**



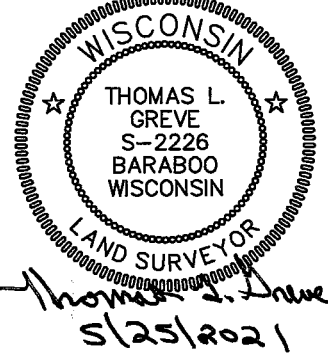
DRAFTED BY: T. KASPER

CHECKED BY: TG

PROJ. 316-109

DWG. 521-311 SHEET 1 OF 2

SEAL:



SAUK COUNTY CERTIFIED SURVEY MAP NO. _____

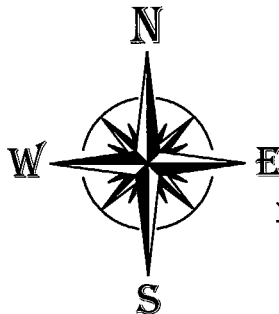
GENERAL LOCATION

Volume _____, Page _____

LOT 61, SECOND ADDITION TO PLEASANT VIEW, LOCATED IN THE SW1/4 OF THE SW1/4, SECTION 30, T. 12 N, R. 7 E, CITY OF BARABOO, SAUK COUNTY, WISCONSIN.

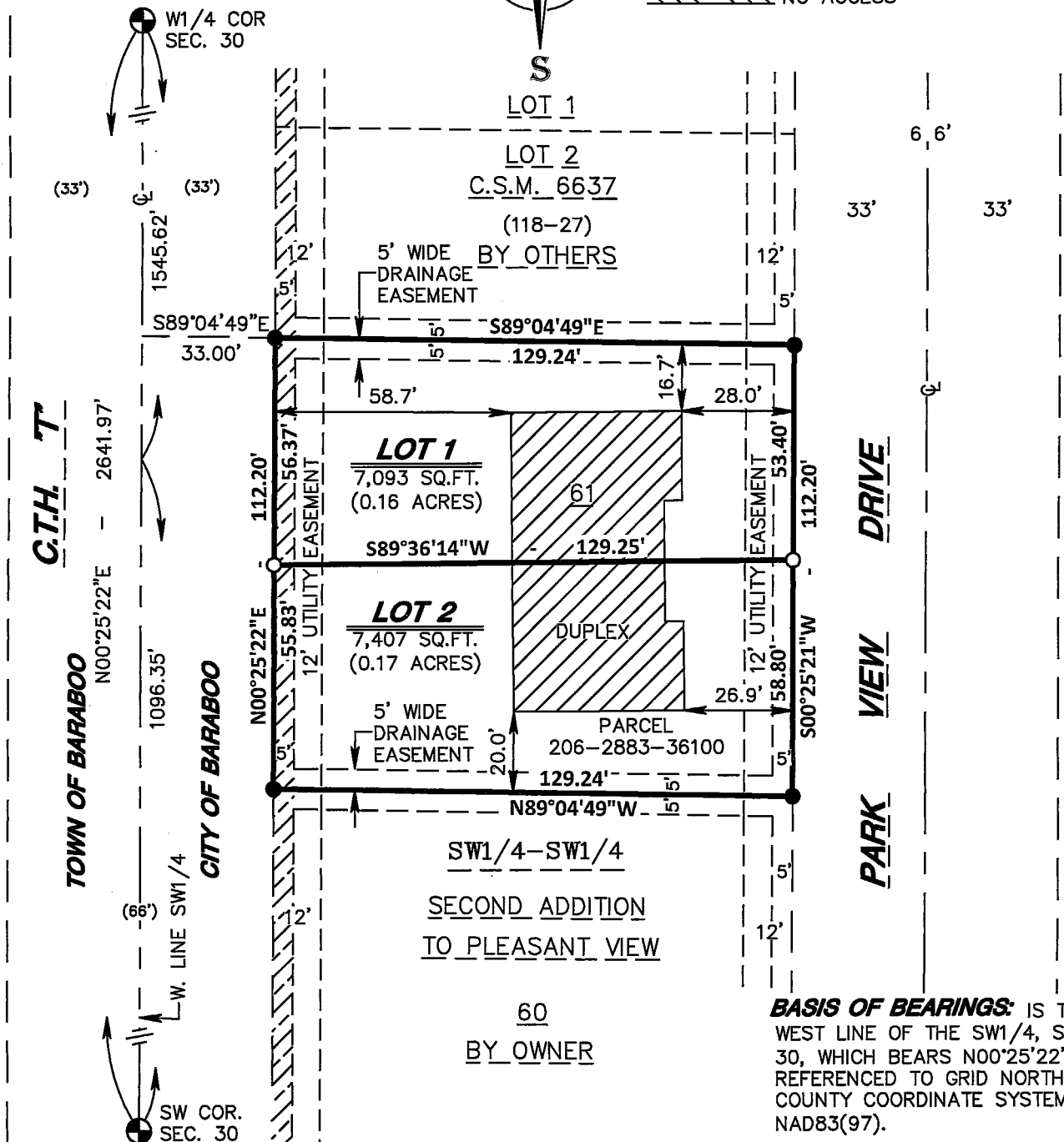
CONTAINING: 14,500 SQ.FT. (0.33 ACRES)

SCALE: 1" = 40'



LEGEND

- 3/4" X 18" IRON ROD SET (WT. = 1.5 LBS. / L.F.)
- 3/4" IRON ROD FND.
- ⊕ STANDARD HARRISON MON. FND. & WITNESSES FND. & VERIFIED
- ▨ NO ACCESS



BASIS OF BEARINGS: IS THE WEST LINE OF THE SW1/4, SECTION 30, WHICH BEARS N00°25'22"E, AS REFERENCED TO GRID NORTH, SAUK COUNTY COORDINATE SYSTEM, NAD83(97).

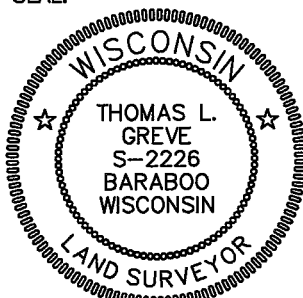
OWNER/CLIENT: D MITCHELL LLC
P.O. BOX 102
BARABOO, WI 53913

As prepared by:

GA GROTHMAN & ASSOCIATES S.C.
LAND SURVEYORS

625 EAST SUPER STREET, P.O. BOX 373 PORTAGE, WI. 53901
PHONE: PORTAGE: (808) 742-7788 SAUK: (808) 644-8877
FAX: (808) 742-0434 E-MAIL: surveying@grothman.com
(RED LOGO REPRESENTS THE ORIGINAL MAP)

SEAL:



G & A FILE NO. 521-311



DRAFTED BY: T. KASPER

CHECKED BY: TG

PROJ. 316-109

DWG. 521-311 SHEET 2 OF 2

SAUK COUNTY CERTIFIED SURVEY MAP NO. _____
GENERAL LOCATION

Volume _____, Page _____

**LOT 61, SECOND ADDITION TO PLEASANT VIEW, LOCATED IN THE SW1/4 OF THE SW1/4,
SECTION 30, T. 12 N, R. 7 E, CITY OF BARABOO, SAUK COUNTY, WISCONSIN.**

CONTAINING: 14,500 SQ.FT. (0.33 ACRES)

SURVEYOR'S CERTIFICATE

I, **THOMAS L. GREVE**, Professional Land Surveyor, do hereby certify that by the order of **D Mitchell LLC**, I have surveyed, monumented, mapped and divided Lot 61, Second Addition to Pleasant View located in the Southwest Quarter of the Southwest Quarter of Section 30, Town 12 North, Range 7 East, City of Baraboo, Sauk County, Wisconsin, described as follows:

Beginning at the Northwest corner of Lot 61, said point being in the East right-of-way line of County Trunk Highway T;
thence South 89°04'49" East along the North line of Lot 61, 129.24 feet to the Northeast corner of Lot 61, said point being on the West right-of-way line Parkview Drive;
thence South 00°25'21" West along the East line of Lot 61 and the West right-of-way line of Parkview Drive, 112.20 feet to the Southeast corner of Lot 61;
thence North 89°04'49" West along the South line of Lot 61, 129.24 feet to the Southwest corner of Lot 61, said point being in the East right-of-way line of County Trunk Highway T;
thence North 00°25'22" East along the West line of Lot 61 and the East right-of-way line of County Trunk Highway T, 112.20 feet to the point of beginning.

Containing 14,500 square feet (0.33 acres), more or less. Being subject to servitudes and easements of record, if any.



THOMAS L. GREVE

Professional Land Surveyor, No. 2226

Dated: May 25, 2021

File No.: 521-311

PLAN COMMISSION RESOLUTION

RESOLVED that this Certified Survey Map in the **City of Baraboo**, Sauk County, Wisconsin is hereby approved by the Plan Commission.

Mayor

Date

City Engineer

Date

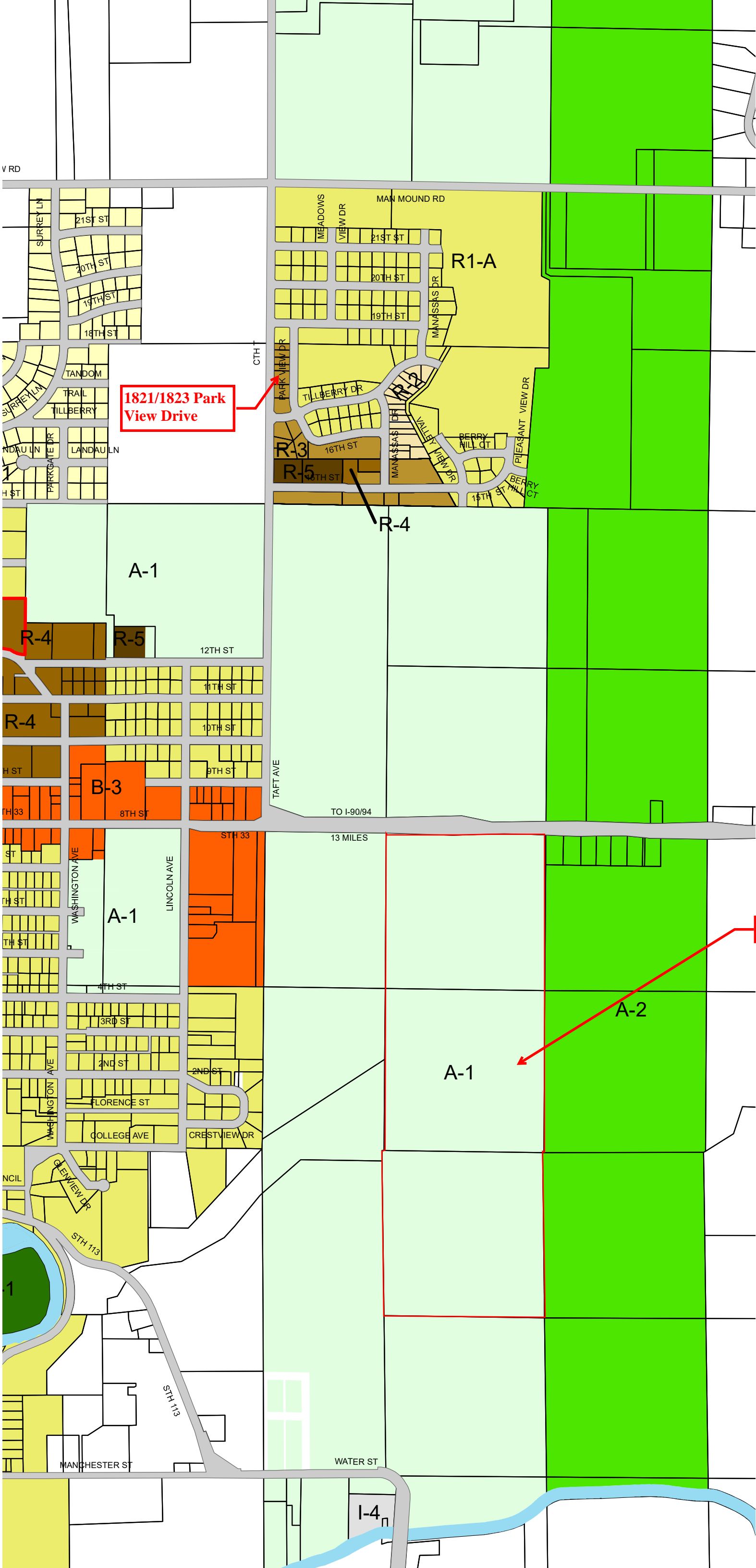
I **HEREBY** certify that the foregoing is a copy of a Resolution adopted by the Plan Commission of the

City of **Baraboo**, Wisconsin, this _____ day of _____, 2021.

City Clerk

Date

OWNER/CLIENT: D MITCHELL LLC
P.O. BOX 102
1020 8th STREET
BARABOO, WI 53913



1821/1823 Park View Drive

Jackson Farm

